

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 1, 2000

DIVISION ONE

B132717 Brown (Not for Publication)
v.
Bonsorte et al.

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B131388 People (Not for Publication)
v.
Loren N.

The order under review is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Ortega, J.

B128641 People (Not for Publication)
v.
DeLaCruz

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B129656 People v. Osorio (Not for Publication)

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION TWO

B114321 Smith
v.
Cobe et al.

Filed order denying petition for rehearing by operation of law. Rule 27(e) California Rules of Court.

B137133 Thomas (Not for Publication)
v.
Superior Court, Los Angeles County
(Rothman et al., r.p.i.)

Let a writ of mandate issue directing the trial court to set aside its order of November 24, 1999, denying petitioner's motion to file a first supplemental petition, and issue a new and different order granting the motion. The stay is vacated. Petitioner to recover the costs of this petition.

Cooper, J.

We concur: Boren, P.J.
 Mallano, J. (Assigned)

DIVISION TWO (Continued)

B135761 Adrienne G. (Not for Publication)

v.

Superior Court, Los Angeles County
(L.A. County Department of Children & Family Services, r.p.i.)

The petition for writ of mandate is denied and the order to show cause is dismissed.

Cooper, J.

We concur: Boren, P.J.
 Mallano, J. (Assigned)

DIVISION THREE

B128549 People (Not for Publication)

v.

Morrison

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
 Aldrich, J.

B124838 People (Not for Publication)

v.

Cannon

The true finding on the second prior serious or violent felony conviction under section 667, subdivision (a)(1), is reversed, and the matter remanded for resentencing on the stayed prior prison term enhancement under section 667.5, subdivision (b). In all other respects, the judgment is affirmed.

Klein, P.J.

We concur: Aldrich, J.
 Schneider, J. (Assigned)

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B135092 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Carol P.

The appeal is dismissed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B134983 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Maria W.

The appeal is dismissed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B127304 Rio Vista Homeowners Association (Not for Publication)
v.
McCarroll Construction Co., et al.

The judgment is affirmed. Respondents shall receive their costs on appeal.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B136349 Nathan H. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition is denied.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B123039 People (Not for Publication)
v.
Cramer

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FOUR (Continued)

B130128 Los Angeles County, D.C.F.S. v. Jurei M. (Not for Publication)
B135768 Jurei M. v. S.C.L.A. (D.C.F.S., r.p.i.)

The jurisdictional orders and dispositional orders of February 16, 1999, from which Mother appeals are affirmed. However, if an evaluation pursuant to Evidence Code section 730 is to be done, someone other than Dr. Patrick Bezdek should be appointed for that purpose.

Let a peremptory writ of mandate issue directing the juvenile court to set aside its order of October 1, 1999. The matter is remanded to the juvenile court for further proceedings in accordance with the views expressed here.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B127987 People v. Gadlin
B128744 People v. Dupree
B129371 People v. Diaz
B128252 People v. Rodriguez
B132426 People v. Franklin et al.
B132583 D.C.F.S. v. Dehall C.
B129442 People v. Loney et al.
B132475 People v. Jose D.

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B130015 People
 v.
 Mihran Bederian

Merits:
Argued by Kimberly Lee for appellant and by Chung L. Mar, deputy attorney general, for respondent. Cause submitted.

B122305 James McTaggart et al.
 v.
 County of Los Angeles Malibu Sewer Special Assessment District

Merits:
Argued by Richard Laskin for appellants and by James Colbert for respondent. Cause submitted.

B136095 PMC Inc., et al.
 v.
 Neil Kadisha et al.

Merits:
Argued by Louis R. Miller for appellants and by Neil Kadisha for respondents. Cause submitted.

B128575 Jerri Caruthers
 v.
 Union Oil of California et al.

Merits:
Argued by Delia Flores for appellant and by Sharyl P. Bilas and Dawn Schock for respondents. Cause submitted.

Court recessed at 10:45 A.M.

DIVISION FIVE (Continued)

Court reconvened at 10:55 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B134015 People v. Fierro
B134411 People v. Joshua G.
B132863 People v. Rankins
B133291 People v. Noah P.

Argument waived, cause submitted.

B128759 Alvin Lew
 v.
 Minderhout Insurance Brokers, Inc., et al.

Merits:

Argued by Greg W. Garrotto for appellant and by Lisa K. Garner for respondents. Cause submitted.

B124790 New England Tomato Co.
 v.
 Todd M. Sloan

Merits:

Argued by Karen Larson for appellant and cross-respondent and by Joshua Bereny for respondent and cross-appellant. Cause submitted.

Court recessed at 11:50 A.M.

DIVISION FIVE (Continued)

Court reconvened at 11:55 A.M.

Present: Grignon, Acting PJ., Armstrong, J., Godoy Perez, J. and J. Belcher, Deputy Clerk.

Each of the following:

B134437 D.C.F.S. v. Denise M.

B131716 People v. Diaz

B131013 People v. Martinez

B129664 People v. Perez

B130868 People v. Villasenor

Argument waived, cause submitted.

B128401 Consuelo Enriquez
 v.
 Firestone Medical Group et al.

Merits:

Argued by Benjamin Wasserman for appellant and by Patricia Daehnke for respondent. Cause submitted.

Court recessed at 11:50 A.M.

Court reconvened at 11:55 A.M.

Present: Turner, PJ., Armstrong, J., Godoy Perez, J. and J. Belcher, Deputy Clerk.

B135713 D.C.F.S.
 v.
 Linda M.
 In re Angel M.

Merits:

Argued by Linda M. appellant in propria persona. No appearance for respondent (17(b)). Cause submitted.

Court recessed at 12:05 p.m.

DIVISION FIVE (Continued)

Court reconvened at 1:00 P.M.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J. and J. Belcher, Deputy Clerk.

B130628 Martin v. Chau

Argument waived, cause submitted.

B131048 Rose Houston

v.

Los Angeles County Employees Retirement Association

Merits:

Argued by Diana Rosenstein for appellant and by Greg Holland, deputy county counsel, for respondent. Cause submitted.

B130852 ML Direct Inc., et al.

v.

TIG Specialty Insurance Co.

Merits:

Argued by David C. Hinshaw for appellants and by Paul D. Hesse for respondent. Cause submitted.

B132616 David Modiri

v.

Jeffrey Sherman

Merits:

Argued by David Modiri, appellant in propria persona, and by Cary Ocon for respondent. Cause submitted.

DIVISION FIVE (Continued)

B122245 Ruth Kennedy
 v.
 Friskies Petcare Company et al.

Merits:

Argued by Ruth Kennedy, appellant in propria persona, and by Maral Donoyan for respondents. Cause submitted.

Court Adjourned.

107419-00

The HONORABLE WILLIAM R. WEISMAN, Judge of the Los Angeles Municipal Court, Los Angeles County, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Five, as a Justice thereof, on the following dates:

February 7, 2000 to March 31, 2000

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated January 27, 2000

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

DIVISION SIX

B130234 People (Not for Publication)
v.
Rodriguez

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SEVEN

B119983 People
v.
Flenoy

Filed order denying petition for rehearing.

B134648	Stribling v. KMart Corporation
B137880	Stribling v. KMart Corporation

Filed order consolidating above captioned appeals.